

Title 35 Mississippi State Tax Commission

Part II Alcoholic Beverage Control

Subpart 03 Warehouse Operations

Chapter 03 Cash Payment

- 100 Alcoholic beverages shall be sold by the Alcoholic Beverage Control Division to the permittees and payment for all orders must be made by cash, bank check, cashier's check, bank exchange (draft), post office money order or express money order. Permittees must send payment with their written orders on forms supplied by the Alcoholic Beverage Control Division or be authorized for bank exchange (draft) status.
- ~~101 If payment is dishonored or insufficient after a permittee has received an order on which the payment was made. The Commission may in his or her discretion, immediately notify the permittee and require a temporary discontinuance of sales of alcoholic beverages until such time as payment is received or a hearing may be held on the matter.~~
- 101 The ABC Division will draft upon the permittee's bank account for the amount of each invoice if the proper authorization is received by the ABC Division from the permittee and the permittee's bank.
- ~~102 If the permittee has more than one check returned for nonpayment because of insufficient funds, the permittee will be required to pay for his orders of alcoholic beverages with certified funds for a period of at least one year. At the end of said one year period, the permittee must then make application to the Director to be allowed to return to the use of regular bank checks.~~
- 102 If payment is dishonored or insufficient after a permittee has received an order on which the payment was made the Commission may in its discretion immediately notify the permittee and require a temporary discontinuance of sales of alcoholic beverages until such time as payment is received or a hearing may be held on the matter.
- ~~103 In addition, the Division will draft upon the permittee's bank account for the amount of each invoice if the proper authorization is received by the Division from the permittee and his bank.~~
- 103 If payment is dishonored for insufficient funds, and is not a bank error, after a permittee has received an order on which the payment was made, the permittee will be placed on certified funds for a period of three (3) months. If a second dishonored check or bank exchange is received, and is not a bank error, the permittee will be placed on certified funds for one (1) year. A second dishonored payment will require that the permittee secure an additional five thousand dollar (\$5,000) bond. If the permittee has more than

two (2) dishonored payments the permittee will be placed on certified funds for a period of three (3) years. Any additional dishonored payments after the initial three (3) year certified funds period will result in additional three (3) year periods of certified funds. At the end of the certified funds periods (3 months – 1 year – 3 years) the permittee must make written application to the ABC Director for reinstatement of the use of regular bank checks or bank exchange (draft). The permittee will be given ten (10) days from the date of notification of the dishonored payment to replace the dishonored payment or the permittee will be placed on the Commission agenda to begin the process to revoke the permit.

104 (Reserved)